



## NOTICE OF INTENT TO OBTAIN CUSTODY

### VESSEL -unknown registration

The City of Everett declared the vessel, white hull with gray stripe and brown transom, cabin cruiser that is currently sitting on the beach near Howarth Park with 2020 tab #D084794, an emergency because it meets the criteria for temporary possession described under RCW 79.100.040(3). The City of Everett took temporary possession of the vessel and will have it removed from the beach near Howarth Park, Snohomish County, in order to prevent it from sinking, breaking up, blocking navigation, or posing a threat to human health and safety or the environment.

The City of Everett intends to take formal and full custody of the vessel on **(08-30-2021)**. After taking custody, The City of Everett may use or dispose of it without further notice. The owner is responsible for all related costs.

#### **In order to keep the vessel, the owner must take the following actions before the Custody Date:**

- Pay The City of Everett back for costs incurred to date, **and**
- Move the vessel to an anchorage area, moorage facility, or storage location that authorizes the vessel.

If the owner wants to reclaim the vessel after the City of Everett has custody, or wants to challenge The City of Everett's decision to take custody, the owner must file a written appeal with the Pollution Control Hearings Board (PCHB) and serve a copy on the City of Everett. Addresses are in the boxes below:

|   |   |
|---|---|
| <b>Pollution Control Hearings Board</b> (send one original and one copy)<br><b>Physical address:</b> 1111 Israel Road<br>Tumwater, WA 98501<br><b>Mailing address:</b> PO Box 40903<br>Olympia, WA 98504-0903<br><b>Phone:</b> 360-664-9160 | <b>The City of Everett</b> (send one original and one copy)<br><b>Physical address:</b> 2930 Wetmore Ave 1-A<br>Everett, WA 98201<br><b>Phone:</b> 360-257-7000 |
|---|---|

The appeal must include the following information:

- A copy of this notice or a copy of the notification letter to the owner.
- Your name and address (mailing and legal, if different) and, if applicable, the name and address of your representative.
- A daytime phone number.
- A brief statement of why you are appealing.
- A statement of what you want the Pollution Control Hearings Board to do.
- Your signature or that of your representative. This signature certifies that the content of the appeal is true.

See <http://www.eluho.wa.gov/Board/PCHB> or call the PCHB at the number above with appeal questions.

The owner may submit the appeal immediately, but the PCHB must receive it no later than **09-30-2021**. **The owner waives the right to a hearing if the PCHB does not receive an appeal on or before the Appeal Date. The owner is then liable for any costs incurred by The City of Everett in responding to the vessel.** These costs may include all administrative costs incurred by **The City of Everett**, removal and disposal costs, and costs associated with environmental damages directly or indirectly caused by the vessel. If there is a law suit, the successful party may receive reasonable attorneys' fees and costs.

The City of Everett also may pursue any other remedies available under law. The City of Everett is taking this action under the authority of Chapter 79.100 RCW. You can find a copy of this law online at <http://apps.leg.wa.gov/RCW/default.aspx?cite=79.100>. **For more information regarding this action, contact The City of Everett's Derelict Vessel Removal Program at (425)257-8455.**